

**U.S.-MEXICO BORDER ROUNDTABLE MEETING
LAREDO COMMUNITY COLLEGE
March 7, 2001**

During Spring 2001, the U.S. Environmental Protection Agency (EPA) El Paso Border Office, the Texas Natural Resource Conservation Commission (TNRCC) and the New Mexico Environment Department (NMED) hosted a series of six roundtable discussions in Texas and New Mexico to solicit input from border communities regarding how binational border environmental issues should be addressed. Meetings were held in Laredo, Edinburg, Brownsville, and El Paso, Texas; and Las Cruces and Deming, New Mexico during March 2001. EPA and its Mexican counterpart, Secretaria de Medio Ambiente y Recursos Naturales (SEMARNAT), are currently working with the ten border states and U.S. tribes on a draft framework for the next border program based on the ideas and recommendations emerging from the roundtable discussions and other events. The following summarizes the roundtable session held in Laredo, Texas on March 7, 2001.

WELCOME AND INTRODUCTIONS

The U.S.-Mexico Border Roundtable Meeting was facilitated by Mr. Darrin Swartz-Larson, Director of the U.S. Environmental Protection Agency (EPA) Region 6 El Paso Border Office, and Mr. Steve Niemeyer, Texas Natural Resource Conservation Commission (TNRCC) Border Affairs. The purpose of the Border Roundtable Meeting is to involve the local stakeholders in the development of the new Border Program to be implemented in the year 2002. This approach to the program development process will foster the generation of ideas, suggestions, and comments of local community stakeholders, which will result in the creation of a plan effective in dealing with their unique environmental issues.

Mr. Swartz-Larson, EPA, made a presentation on the current Border XXI Program and plans for development of the new border program plan. Mr. Niemeyer facilitated a group discussion designed to solicit input from local community stakeholders regarding the new border program.

PRESENTATION ON THE STATUS OF THE BORDER XXI PROGRAM

Overview and Background of the U.S.-Mexico Border XXI Program

- Binational program initiated in 1996
- Legal Foundation: La Paz Agreement of 1983
- Border XXI Program implemented through a voluntary, coordinating mechanism
 - < The program is a strategy, a framework, a forum
 - < The program does not create any new laws or rights
- EPA and SEMARNAT (formerly SEMARNAP—*Secretaría de Medio Ambiente, Recursos Naturales y Pesca*) are the lead agencies. Other participants include:
 - < Other Federal agencies:
 - Department of Health and Human Services (U.S.)
 - Secretariat of Health (Mexico)
 - Department of Interior (U.S.)

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International Boundary and Water Commission (IBWC)

- < State and tribal partners
- < Local and community stakeholders

Mission of the New Border XXI Program

- To work cooperatively toward sustainable development—meeting the needs of the present without compromising the ability of future generations to meet their own needs—through (1) the protection of human health and the environment and (2) proper management of natural resources.

Strategies of the New Border XXI Program

- Ensuring public involvement
- Building local capacity and decentralizing environmental management
- Ensuring interagency cooperation

New Border XXI Program Workgroups

- Air Workgroup
- Contingency Planning and Emergency Response Workgroup
- Cooperative Enforcement and Compliance Workgroup
- Environmental Health Workgroup
- Environmental Information Resources Workgroup
- Hazardous and Solid Waste Workgroup
- Natural Resources Workgroup
- Pollution Prevention Workgroup
- Water Workgroup

Road to New Border XXI Program Plan

- ***Stakeholder involvement.*** The involvement of stakeholders is the primary goal for the development of the new Border XXI Program. Stakeholders include:
 - < States and tribes
 - < Local jurisdictions
 - < Community members (public)

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- < Environmental justice (EJ) and community-based organizations
- < Non-Government organizations (NGO)
- < Industry and local businesses
- < Academia—Public school systems and universities
- ***Options for the Structure of the New Border XXI Program***
 - < Continue with current structure
 - < Modify current structure
 - < Implement a regional approach
 - < Others
- ***Time frame***
 - < Border roundtable meetings to be held from August 2000 through March 2001
 - < Briefing of the incoming administration from December 2000 through May 2001
 - < Public meetings to be held in Fall 2001 before the New Border XXI Plan is drafted to receive stakeholder input for the plan
 - < Preparation of the Draft Border XXI Program Plan beginning in Winter 2001
 - < Solicitation of comments on the Draft Plan
 - < Finalization and implementation of the New Border XXI Program Plan

GROUP DISCUSSION

Mr. Niemeyer facilitated a group discussion designed to solicit input from local community stakeholders regarding current border environmental issues and the new border program plan. This section summarizes the comments made by stakeholders during the discussion period.

What are the most critical binational border environmental and human health issues in this area? (i.e., what issues will require U.S. and Mexican collaboration and cooperation to address?)

- Rio Grande water quality and quantity
- The lack of international collaborative plans, especially related to surface water and groundwater
- The lack of an international treaty for the regulation of groundwater supply
 - < Current mechanism is a “free for all”.
 - < El Paso and Ciudad Juarez are running out of water and are tapping into same water

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supply

- The lack of a binational agreement on drinking water
 - < Drinking water regulations are limited. For example, the State of Texas lacks regulation of drinking water and property use on privately owned land.
- The need for international agreements or treaties between neighboring states and communities.
- International issues cannot be resolved unless local, state regulations are in place.
- Sustainability
 - < Unplanned growth has not been accounted for and has affected water quality and water quantity and availability. Future growth and the associated water supply demands need to be projected. For example, Bridge Four (Columbia Bridge) will spur more development on the Mexico side of the border region.
 - < Many residents lack potable water and are forced to purchase water.
- Solid waste
 - < There is a lack of regulation for solid waste. Mexico should be involved in the establishment of regulation of solid waste collection and disposal
 - < Illegal dumping is common because rural residents are not required to have garbage pickup services and many rural residents cannot afford or do not want to pay landfill users fees.
 - < Solid waste collection is costly
 - < Solid waste dumping on river banks is common and problematic. Surface water runoff into watersheds has contributed to the deterioration of water quality in U.S. and Mexican watersheds.
- Collective resolutions to collective environmental problems are needed.
 - < The independent countries and cities lack common rules and regulations for addressing environmental problems and issues that they share.
- There is a lack of communication between resource agencies and enforcement entities, etc.
 - < The lack of single jurisdiction for enforcement is problematic.
 - < There is a need to establish and publish a contact list.
- North American Free Trade Agreement (NAFTA) and its environmental effects need to be revisited
 - < Air quality affected by vehicle emissions
 - < Weight limitations are not being enforced and heavy equipment vehicles increase traffic emissions and are decreasing road quality
 - < Environmental justice issues exist.
 - < Need to look at potential for chemical spills (HAZMAT)
 - < Surface runoff from roads is contributing to contamination of watersheds
 - < There are questions about NAFTA. Can NAFTA be used to address these issues? Are the environmental agreements being met?

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- Current laws and regulations lack consistency between neighboring countries. For example, mercury concentrations found in fish tissues may exceed U.S. action levels, but not action levels set by Mexico or Canada. Also, materials considered hazardous by the U.S. government may not be considered hazardous in Mexico.
- Border XXI Workgroups
 - < There is a perception that there is limited representation of top-level management from agencies. More participation and coordination from the federal level is needed.
 - < Workgroups need representation from local communities. U.S. Department of Transportation (DOT) and the Texas Department of Transportation (TXDOT) should be involved.
 - < A list of participating agencies and entities and the extent of their authority should be created and distributed to the public.
- Funding
 - < Border communities need technical assistance on projects as well as funding.
 - < Funding is needed for wetland preservation and development and infrastructure construction
 - < Funding is needed for the development of local and sister city plans.

Who should be involved in the effort to identify and prioritize the most critical environmental and human health issues in this area?

- Federal and State Senators and Representatives
- Solid waste regulatory entities
- International Boundary Water Commission (IBWC)
- NADBANK
- COMAPA, a local agency
- Non-government organization
- Cities and county involvement
- TNRCC
- Council of Government's (COG)
- SEMARNAT (formerly SEMARNAP)
- Local chambers of commerce
- Maquiladora Association—business groups
- Builders trade association/builders

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- Local transporters association—transportation
- LDF, an organization of local developers
- Petroleum industry/sector
- Customs brokers/Agentes aduanales
- Freight forwarders
- Railroad commission
- CODIN, a local agency
- Consulates
- Texas General Land Office
- Local communities
- Educational institutions
- U.S. Fish and Wildlife
- U.S. DOT and Texas DOT
- Department of Public Safety, Fire Department, Law Enforcement
- An entity to develop model ordinances
- EPA

Of those organizations and individuals identified above, what should their role be?

- The responsibilities of each agency should be determined for a particular geographic area. Agencies should be grouped into focus groups according to their responsibilities and focus, such as air, water, transportation, etc. Each focus group should meet to discuss a particular local issue and should include local organization participants and community members.
- The role of local agencies should be to enforce regulations, to maintain consistency in enforcement, and to take the initiative to address environmental issues.
- EPA border and field offices need more authority to make decisions because “immediate problems need immediate solutions”.
- City managers need to be more educated so that they can make more informed, appropriate decisions regarding environmental issues in the community.

What are the benefits and challenges of border involvement? Are you more likely to participate?

- It will be a challenge to determine which issues have the largest, most immediate impact.

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Focus groups should address one or two large issues at a time.

- Information sharing will be benefit of border involvement.
- Regionalization will be a challenge. For example, representatives from the Laredo community have not been included in previous Border XXI workgroup activities. A suggestion is to create "local/regional subgroups" of the Border XXI workgroups. At least 50 percent of the meeting attendees stated that they would be interested in participating in regional/local subgroups for the Border XXI Program
- Local and regional planning will be a benefit
- Local, federal, and state participation will be a challenge
- Follow through of responsibilities a challenge
- Enforcement at the federal, state, and local level will be a challenge

What must the next binational border program include to be successful?

- An improved participation process
- Funding
- An EPA individual responsible for inviting and coordinating local, state, and federal involvement
- EPA coordination of work group meetings
- A shorter, more streamlined grant application process, including assistance in the grant process
- Improved distribution of information, such as a list server

CLOSING REMARKS

In closing, meeting participants were encouraged to contact EPA directly with additional comments and suggestions. They were also advised that information, comments, and suggestions presented at the roundtable discussion would be incorporated into an option format that will be used to develop the next Border XXI Program Plan. A draft plan is expected in January 2002.